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The AViD Group, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE AVID GROUP, LLC,

Plaintiff,

v.

ARIXA ANIMAL DIAGNOSTICS, INC.;
AVIANA HOLDINGS, INC.; and AVIANA
MOLECULAR TECHNOLOGIES, LLC.

Defendants.

ARIXA ANIMALS DIAGNOSTICS, INC.

Counterclaimant,

v.

THE AVID GROUP, LLC.

Counter-Defendant.

Case No. 2:24-cv-01470-JCM-NJK

**STIPULATION AND ORDER TO
CONFIRM DEADLINE TO AMEND
COUNTERCLAIM AND SET
DEADLINES TO RESPOND
THERE TO**

(FIRST REQUEST)

Plaintiff/Counter-Defendant The AViD Group, LLC (“AViD”), by its attorneys, the law firm of Brownstein Hyatt Farber Schreck, LLP, and Defendant/Counterclaimant Arixia Animal Diagnostics, Inc. (“Arixia”), and Defendants Aviana Holdings, Inc. and Aviana Molecular Technologies, LLC (collectively, “Defendants”), by their attorneys, the law firms of Snell & Wilmer, L.L.P. and Foster Law Partners, hereby stipulate and agree as follows:

1. On August 9, 2024, AViD filed its Complaint against all Defendants. ECF No. 1.
2. After being granted an extension to respond to the Complaint, ECF No. 14,

Defendants filed their Answer and Arixia filed its Counterclaim on October 31, 2024. ECF No. 16.

3. The current deadline for AViD to respond to the Counterclaim is November 21, 2024.

4. On November 14, 2024, counsel for Arixia contacted counsel for AViD to advise that Arixia intends to amend its Counterclaim by November 21, 2024, which is the deadline for Arixia to amend as a matter of course under Fed. R. Civ. P. 15(a).

5. Because Arixia will be amending its Counterclaim as a matter of course under Rule 15(a), the parties have agreed to the following deadlines, subject to the Court's approval, which will allow AViD to forego the time and expense of preparing a response to the original Counterclaim:

- a. Arixia will file its Amended Counterclaim on or before November 21, 2024;
- b. The deadline for AViD to file a pleading or motion in response to the Amended Counterclaim is December 6, 2024;
- c. If applicable, the deadline for Arixia to file a response in opposition to a motion filed by AViD is December 20, 2024;
- d. If applicable, the deadline for AViD to file a reply in support of its motion is January 9, 2025.

6. The parties submit that good cause exists – judicial economy and the preservation of the time and resources of the parties – to grant this Stipulation.

7. This Stipulation is submitted in good faith and not filed for an improper purpose or delay.

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8. Based on the foregoing, the parties respectfully request that the Court grant the Stipulation and approve the deadlines outlined herein.

DATED this 18th day of November, 2024

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

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IT IS SO ORDERED.


Nancy J. Koppe
United States Magistrate Judge

Dated November 19, 2024